

Page



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/705,674	11/03/2000	Terizhandur S. Ramakrishnan	60.1421	6269

36822 7590 07/27/2004  
GORDON & JACOBSON, P.C.  
65 WOODS END ROAD  
STAMFORD, CT 06905

EXAMINER

GARLAND, STEVEN R

ART UNIT PAPER NUMBER

2125

DATE MAILED: 07/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/705,674	<b>Applicant(s)</b> RAMAKRISHNAN ET AL.	
	<b>Examiner</b> Steven R Garland	<b>Art Unit</b> 2125	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 April 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-12, 15-20, 22-27 and 29-35 is/are rejected.
- 7) ☒ Claim(s) 7, 13, 14, 21 and 28 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                         |                                                                             |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                                |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____                                                             | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. The declaration filed on 4/22/04 under 37 CFR 1.131 has been considered but is ineffective to overcome the Streetman 6,456,902 reference.

The declaration has not been made by one of the parties listed in 37 CFR 1.131 such as all of the inventors of the subject matter claimed. Note MPEP section 715.04 in regards to who can make a declaration under 37 CFR 1.131. The attorney of record is not one of the parties listed in 37 CFR 1.131 and on this basis alone the declaration is defective.

The declaration does not establish where the invention was made such as the U.S.A., NAFTA country, etc. Note MPEP section 715.07(c).

The declaration and exhibits must clearly explain which facts and data applicant is relying on to show completion of the invention prior to Streetman reference date. The declaration only provides a broad general statement as to what the exhibit shows. Vague and general statements in broad terms about what the exhibits describe do not satisfy the requirements of 37 CFR 1.131(b). The applicant must give a clear explanation of the exhibits pointing out exactly what facts are established and relied on by the applicant. Note MPEP section 715.07.

The evidence submitted is insufficient to establish diligence from a date prior to the date of reduction to practice of the Streetman reference to either a constructive reduction to practice or an actual reduction to practice. The alleged diligence, by the both the applicants and attorney of record between May 4, 2000 and October 25, 2000, has not been supported by evidence or showing of facts. Note MPEP sections

---

Art Unit: 2125

715.07(a) and 2138.06. Note MPEP 2138.06 in regards to a factual showing of attorney diligence in filing and preparing patent applications.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3,8,9,11,15-17,22-24, and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Streetman 6,456,902.

Streetman discloses remote oil field management using a sensor to supply data to a CPU, programming the CPU and collecting data; coupling the CPU to the Internet or server to allow remote access to the data, partial analysis of the data, determining if an abnormal condition occurs outside of bounds, and generating an alarm.

See the abstract; figures; col. 1, lines 13-22; col. 2, lines 47-57; col. 3, lines 1-37; col. 4, line 22 to col. 6, line 34; col. 8, lines 7-23.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

---

Art Unit: 2125

5. Claims 4-6, 12, 18-20, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Streetman 6,456,902 as applied to claims 1-3,8,9,11,15-17,22-24, and 26 above, and further in view of Ocondi 5,983,164.

Streetman discloses remote oil field management using a sensor to supply data to a CPU, programming the CPU and collecting data; coupling the CPU to the Internet or server to allow remote access to the data, partial analysis of the data, determining if an abnormal condition occurs and generating an alarm.

See the abstract; figures; col. 1, lines 13-22; col. 2, lines 47-57; col. 3, lines 1-37; col. 4, line 22 to col. 6, line 34; col. 8, lines 7-23.

Streetman however does not teach data compression, data trending, correlating or specifically state determining if the data is outside limits.

Ocondi teaches data compression, trending, correlating and the use of limits. See the abstract; figures; col. 1, lines 45-53; col. 3, line 58 to col. 4, line 29; col. 5, line 41 to col. 6, line 28; col. 7, lines 18-40; col. 8, line 18 to col. 10, line 26 on.

It would have been obvious to one of ordinary skill in the art to modify Streetman in view of Ocondi and use data compression to reduce the data transmission time and reduce memory requirements. Further it would have been obvious to one of ordinary skill in the art to modify Streetman in view of Ocondi and use data trending, limits, and correlation for improved data analysis and control functions such as implementing flow control when limits are exceeded.

In response to applicant's arguments about Ocondi in regards to trending, use of limits, correlation note col. 1, lines 45-53; col. 3, line 58 to col. 4, line 29; col. 5, line 41

---

Art Unit: 2125

to col. 6, line 28; col. 7, lines 18-40; col. 8, line 18 to col. 10, line 26 on. Also note the use of trending, limits, and use of correlation in col. 4, lines 1-19 and col. 7, line 18 on of Ocondi.

6. Claims 1,2,11, 15, 16, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Streetman 6,658,460.

Streetman teaches a client /server system in which a local server can analysis various types of well data, stores data in memory, communicates with other servers, use of the internet, and use of various types of client/server architectures. See the abstract; figures; col. 1, lines 8-12; col. 2, lines 25-35; col. 3, line 52 to col. 4, line 50; col. 6, lines 12-55; col. 7, line 25 on.

Streetman however does not specifically state that the local server is connected to a sensor or that the server is connected to another server.

It would have been obvious to one of ordinary skill in the art to modify Streetman and connect the local server to a sensor so that the well log data could be generated and to also connect the local server to another server in view of Streetman express teaching of the use of various types of client/server systems depending on the type of communication routing being used. Note col. 8, lines 10-15 in regards to client/servers.

7. Claims 3-6,12,17-20, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Streetman 6,658,460 as applied to claims 1,2,11, 15, 16, and 26 above, and further in view of Ocondi 5,983,164.

Streetman teaches a client /server system in which a local server can analysis various types of well data, stores data in memory, communicates with other servers,

---

Art Unit: 2125

use of the internet, and use of various types of client/server architectures. See the abstract; figures; col. 1, lines 8-12; col. 2, lines 25-35; col. 3, line 52 to col. 4, line 50; col. 6, lines 12-55; col. 7, line 25 on.

Streetman however does not specifically state that the local server is connected to a sensor or that the server is connected to another server.

It would have been obvious to one of ordinary skill in the art to modify Streetman and connect the local server to a sensor so that the well log data could be generated and to also connect the local server to another server in view of Streetman express teaching of the use of various types of client/server systems depending on the type of communication routing being used. Note col. 8, lines 10-15.

Streetman however does not teach data compression, data trending, use of limits, and correlating.

Ocondi teaches data compression, trending, correlating and the use of limits. See the abstract; figures; col. 1, lines 45-53; col. 3, line 58 to col. 4, line 29; col. 5, line 41 to col. 6, line 28; col. 7, lines 18-40; col. 8, line 18 to col. 10, line 26 on.

It would have been obvious to one of ordinary skill in the art to modify Streetman in view of Ocondi and use data compression to reduce the data transmission time and reduce memory requirements. Further it would have been obvious to one of ordinary skill in the art to modify Streetman in view of Ocondi and use data trending, limits, and correlation for improved production data analysis, as a means to sort wells prior to a detailed analysis out, and implementing flow control when limits are exceeded.

---

Art Unit: 2125

8. Claims 7,10,13,14,21,25,28-35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven R Garland whose telephone number is 703-305-9759. The examiner can normally be reached on Monday-Thursday from 6:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard, can be reached on 703-308-0538. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*SRD*

Steven R Garland  
Examiner  
Art Unit 2125

*Albert W. Paladini 7-22-07*

ALBERT W. PALADINI  
PRIMARY EXAMINER